

VARIANCE APPLICATION

OFFICE USE ONLY

DOCKET #: _____ FILING DATE: _____

FILING FEE: \$ _____ FEE PLUS \$ _____ PER ADDITIONAL VARIANCE (@ _____) = \$ _____

PRE-FILING CONFERENCE

PRE-FILING CONFERENCE WITH: Caleb Ernest (STAFF NAME) DATE: 5/30/2023

PRIOR OR RELATED DOCKET NUMBERS

CHANGE OF ZONING: _____ AMENDMENTS: _____ DEVELOPMENT PLAN: _____

PRIMARY PLAT: _____ SECONDARY PLAT: _____ VARIANCE(S): _____

APPLICANT INFORMATION

APPLICANT'S NAME: Trinity Baptist Church

ADDRESS: 1415 East 191st Street, Westfield 46074

TELEPHONE: 317-896-9104

EMAIL: info@tbcin.org

PROPERTY OWNER'S NAME: _____

ADDRESS: _____

TELEPHONE: _____

EMAIL: _____

REPRESENTATIVE'S NAME: Andy Wheeler

COMPANY: _____

ADDRESS: 18206 Kinsey Ave, Westfield, In 46074

TELEPHONE: 317-507-8281

EMAIL: wheeler.andy@westfieldairport.com

PROPERTY AND PROJECT INFORMATION

ADDRESS OR PROPERTY LOCATION: 1415 East 191st Str. Westfield, In 46074

COUNTY PARCEL ID #(S): 08-05-25-00-00-054.000

EXISTING ZONING DISTRICT(S): AGSF1 EXISTING LAND USE(S): church

PROPERTY AND PROJECT INFORMATION

☐ VARIANCE OF LAND USE CODE CITATION: _____

☒ VARIANCE OF DEVELOPMENT STANDARD(S) CODE CITATION: _____

FINDINGS OF FACT: (PLEASE SEE ATTACHED)

STATEMENT OF INTENT (EXPLANATION OF REQUEST - ATTACH SEPARATE SHEET IF NECESSARY): _____

Request changing set back line along south side of 191st from 100' to 80'

Request changing set back line along Chad Hittle Drive from 100' to 20'

APPLICANT AFFIDAVIT

IN WITNESS WHEREOF, the undersigned, having duly sworn, upon oath says that above information is true and correct as he/she is informed and believes and that Applicant owns or controls the property involved in this application.

[Signature]
Applicant/Representative (signature)

Andrew Wheeler
Applicant/Representative (printed)

Before me the undersigned, a Notary Public in and for said County and State, personally appeared the above party, who having been duly sworn acknowledged the execution of the foregoing Application.

Witness my hand and Notarial Seal this 13th day of June, 2023
State of Indiana, County of Hamilton, SS: _____

[Signature]
Notary Public (signature)

Brittany Howey
Notary Public (printed)



PROPERTY OWNER AFFIDAVIT

IN WITNESS WHEREOF, the undersigned, having duly sworn, upon oath says they are the owners of the property involved in this application and that they hereby acknowledge and consent to the foregoing Application.

[Signature]
Property Owner (signature)*

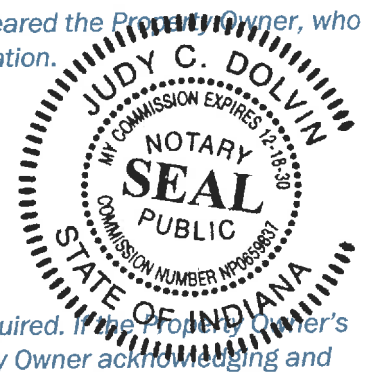
Steven Dolvin (Elder / CFO)
Property Owner (printed)

Before me the undersigned, a Notary Public in and for said County and State, personally appeared the Property Owner, who having been duly sworn acknowledged and consents to the execution of the foregoing Application.

Witness my hand and Notarial Seal this 5th day of June, 2023
State of Indiana, County of Hamilton, SS: _____

[Signature]
Notary Public (signature)

Judy C. Dolvin
Notary Public (printed)



*A signature from each party having interest in the property involved in this application is required. If the Property Owner's signature cannot be obtained on the application, then a notarized statement by each Property Owner acknowledging and consenting to the filing of this application is required with the application.

FINDINGS OF FACT (VARIANCE OF USE)

APPLICANT: _____ **DOCKET #:** _____

In taking action on a variance request, the Board of Zoning Appeals uses the following decision criteria to approve or deny a variance, as established by Indiana Code, and the Board may impose reasonable conditions as part of its approval. The applicant must address the criteria below. A variance of land use may be approved by the Board of Zoning Appeals only upon a determination that the Board finds all of the following to be true:

A. The use will not be injurious to the public health, safety, morals, and general welfare of the community because: _____

B. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because: _____

C. The need for the variance arises from some condition particular to the property involved because: _____

D. The strict application of the terms of the Ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought because: _____

E. The variance of use does not interfere substantially with the Comprehensive Plan because: _____

FINDINGS OF FACT (VARIANCE OF DEVELOPMENT STANDARD)

APPLICANT: Trinity Baptist Church

DOCKET #: _____

In taking action on a variance request, the Board of Zoning Appeals uses the following decision criteria to approve or deny a variance, as established by Indiana Code, and the Board may impose reasonable conditions as part of its approval. The applicant must address the criteria below (if multiple variances of development standard are being requested, then this sheet should be completed separately for each requested variance). A variance of land use may be approved by the Board of Zoning Appeals only upon a determination that the Board finds all of the following to be true:

A. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because: _____
Changing the setback will allow the construction of a new sanctuary in line with our current building. Congruent with this the parking will be
moved more to the south thereby shifting traffic exiting the church from 191st to Chad Hittle Drive. Another factor is that site lines for drivers
negotiating the roundabout will be less cluttered and therefore improve safety.

B. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because: _____
We are surrounded with commercial development on 3 sides and a single residential tract to our west. This setback change will not
have any negative effect on our neighbors.

C. The strict application of the terms of the Ordinance will result in practical difficulties in the use of the property because: _____
The church has been on the property for 25+ years and the additional setbacks make expansion impractical. The 191st Street setback change is simply to
bring our building into compliance and create opportunity for an awning. The setback change along Chad Hittle Drive allows
to build a more efficient campus and to shield our sea of parking from the visitors site lines.

(EXCERPT)

EXHIBIT "A"

Sheet 1 of 1

**Project: 191st Street Improvements
Tomlinson Road to U.S. 31
Parcel: 9 Fee
Parcel ID: 29-05-25-000-054.000-025**

A part of the Northwest Quarter of the Southeast Quarter of Section 25, Township 19 North, Range 3 East, Hamilton County, Indiana, and being that part of the grantor's land lying within the right-of-way lines depicted on the attached Right-of-Way Parcel Plat, marked Exhibit "B", described as follows: Beginning on the north line of said quarter section at a point North 88 degrees 51 minutes 35 seconds East 997.30 feet from the northwest corner of said quarter section, designated as point "907" on the Location Control Route Survey Plat recorded in Instrument 2012069828 in the Office of the Recorder of said county, which point of beginning is the northwest corner of the grantor's land; thence continuing North 88 degrees 51 minutes 35 seconds East 330.54 feet (329.21 feet by Instrument 9709706272) along the north line of said quarter section to the northeast corner of the grantor's land; thence South 00 degrees 09 minutes 45 seconds West 111.32 feet to point "544" designated on said Parcel Plat; thence North 54 degrees 26 minutes 02 seconds West 53.77 feet to point "543" designated on said Parcel Plat; thence North 89 degrees 38 minutes 04 seconds West 61.34 feet to point "542" designated on said Parcel Plat; thence South 73 degrees 56 minutes 02 seconds West 46.53 feet to point "541" designated on said Parcel Plat; thence Southwesterly 181.12 feet along an arc to the right and having a radius of 3,060.00 feet and subtended by a long chord having a bearing of South 85 degrees 57 minutes 31 seconds West and a length of 181.10 feet to the west line of the grantor's land; thence North 00 degrees 09 minutes 45 seconds East 98.72 feet along said west line to the point of beginning and containing 0.686 acres, more or less, inclusive of the presently existing right-of-way which contains 0.061 acres, more or less.



This description was prepared for the
City of Westfield, Indiana
on the 18th day of September, 2014.

Kelly D. Marley
Kelly D. Marley
Indiana Registered Land Surveyor
License Number LS20400016



CASE NO. 97290614-AMENDED 2

EXHIBIT A - LEGAL DESCRIPTION

PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 19 NORTH, RANGE 3 EAST, HAMILTON COUNTY, INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID QUARTER-QUARTER SECTION BEING NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST (ASSUMED BEARING) 997.30 FEET FROM THE NORTHWEST CORNER THEREOF; THENCE CONTINUE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID NORTH LINE 329.21 FEET MEASURED (330.0 FEET DEED) TO THE NORTHEAST CORNER OF SAID QUARTER-QUARTER SECTION; THENCE SOUTH 1 DEGREE 16 MINUTES 06 SECONDS WEST ALONG THE EAST LINE OF SAID QUARTER-QUARTER SECTION 1335.23 FEET MEASURED (1333.4 FEET DEED) TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 89 DEGREES 46 MINUTES 52 SECONDS WEST ALONG THE SOUTH LINE OF SAID QUARTER-QUARTER SECTION 329.18 FEET MEASURED (330.0 DEED); THENCE NORTH 1 DEGREE 16 MINUTES 06 SECONDS EAST, PARALLEL WITH SAID EAST LINE, 1339.93 FEET MEASURED (1332.16 FEET DEED) TO THE POINT OF BEGINNING.

10.084 Ac